

**STATUS REPORT TO THE INDEPENDENT MONITOR
SUBMITTED BY THE PARTIES TO THE COLLABORATIVE AGREEMENT**

The parties to the Collaborative Agreement, the Plaintiff Class, who is represented by the American Civil Liberties Union (ACLU) of Ohio; the City of Cincinnati and the Fraternal Order of Police (FOP) (collectively referred to as “the parties” or the collaborative partners”) submit this status report to the Independent Monitor, pursuant to Collaborative Agreement paragraph 105.

September 7, 2004

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INTRODUCTION

This Report is intended to advise the Independent Monitor as to the substantial progress that the Parties have made since the Monitor's Sixth Status Report was issued. July 1, 2004. The Independent Monitor oversees implementation of both the Memorandum of Agreement (MOA) between the City and the United States Department of Justice, and the Collaborative Agreement (CA) between the City and the ALCU and the Fraternal Order of Police. The MOA is appended to the CA and is enforceable solely through the mechanism of paragraph 113 of the Collaborative Agreement.

The purpose of the Collaborative Agreement is to resolve conflict, to improve community-police relations, to reduce crime and disorder, to fully resolve the pending claims of all individuals and organizations named in the underlying litigation, to implement the consensus goals identified by the community through the collaborative process, and to foster an atmosphere throughout the community of mutual respect and trust among community members, including the police. The parties recognize that there has been friction between some members of both the community and the Cincinnati Police Department (CPD). The ultimate goal of the Agreement is to reduce that friction and foster a safer community where mutual trust and respect are enhanced among citizens and police.

Implementation will not only reform police practice, but will enhance trust, communication, and cooperation between the police and the community. The City of Cincinnati continues to be enthusiastic and committed to this endeavor.

This report provides updates based on the following established committees to fully address each area stipulated in the Agreement:

- Community Problem Oriented Policing Committee
- Mutual Accountability Evaluation Committee
- Department of Justice Memorandum of Agreement Committee
- Fair, Equitable, and Courteous Treatment Committee
- Citizen Complaint Authority Committee

A. COMMUNITY PROBLEM-ORIENTED POLICING STRATEGY

General Comments

In previous status reports, the Monitoring Team has emphasized a vision of CPOP which suggests that effective problem solving can only be achieved through the combined efforts of interagency collaboration, comprehensive law enforcement strategies, and the input received from highly motivated community stakeholders. In theory, such a highly charged team will use the SARA process, in conjunction with the “best practices” available for the particular problem in question, to arrive at solutions that will generate the greatest amount of positive impact on the community. While this innovative problem-solving is based on best practices, offers promise and contains a portion of the solution within its process, it like past methodologies is not guaranteed to be 100% successful 100% of the time.

In this regard, CPD recognizes its obligation under the CA and believes that CPOP is a coherent and desirable strategy to deal with some of the issues identified by neighborhoods as being problematic. At the same time, CPD also believes this to be an ideal problem-solving strategy that is not easily achieved in every situation. In many cases, the community is not willing to organize to address problems or in other instances, the problem is not of sufficient magnitude/complexity to warrant extensive examination and analysis, or in still other instances the problems identified are not solvable with available resources. As such, CPD believes problem-solving occurs on three interrelated, but distinct levels:

I. CPOP Teams

As explained above, this approach allows major stakeholders to come together and utilize the SARA process to identify problems and arrive at solutions that will improve community conditions in the long term.

II. Concerns Generated by the Community

In many instances, law enforcement is alerted to problematic conditions by individuals or community groups. Although a source of great concern to those impacted, the affected citizens, for a number of reasons, do not wish to take an active role in the problem-solving process. In these situations, law enforcement is bound to act and address these concerns. Typically, law enforcement will develop strategies that will attempt to alleviate the conditions in these areas using crime data and information obtained from citizens. Unfortunately, many of these strategies are discounted as merely traditional law enforcement as opposed to “problem-solving” by many. In addition, CPD asserts that these activities can support the mission of the CPOP teams. Concurrently, while the CPOP teams work through the problem scanning and analysis phases, law enforcement can control the undesirable conditions, gather additional intelligence to assist in problem analysis, and

gain a better understanding of what may be a successful activity in the response stage. By demonstrating immediate results, it is our notion that the CPOP team will remain energized, tangibly see the importance of their mission, and as a result, maintain a clear commitment and focus.

III. Support Programs

CPD believes that support programs engage in problem-solving. These programs are valuable in providing opportunities to engage the community in creating settings that promote mutual understanding and awareness, especially for youth. Citizen and student police academies assist the public in understanding the police mission, policies, and practices. Police/youth camps have been instrumental in establishing a level of trust among many of the area youth. Community meetings and neighborhood summits attended by both police and City elected officials create a dialogue that helps neighborhood stakeholders understand the problem-solving process and city services available to them, as well as the goals of the Collaborative Agreement. These are just a few examples of support programs that foster a desired level of community participation designed to reduce police/community friction.

As a final general comment, the Parties remind the public and the Monitor that CPOP is a work in progress. That is, the CPOP philosophy is still being developed in terms of creating and implementing the systems and processes necessary to achieve full implementation. At the time of this report, there are a total of 11 CPOP Teams working on 16 various problem-solving activities, a; crime oriented (see CPOP Problem Status Report in Appendix Item #1). The status of CPOP is citizens are being trained, police officers and citizens are gaining experience utilizing the problem-solving process, and the City and community administrators are working out the kinks. Future activities include involving all city departments in addressing non-crime issues via the CPOP methodology. Beyond changing the city government's approach to service delivery, citizens also must learn how to use this new system, as well as gain experience and confidence. This current developmental state is a far cry from the Collaborative Agreement's and City Manager's end-goal of CPOP being a city-wide fully functional service delivery model operating city-wide, providing the citizens of Cincinnati a new way to access all city services. Practically speaking, this cultural/organizational paradigm change in accessibility, service delivery, and accountability may not fully occur for some time.

CPOP/PROBLEM SOLVING ACTIVITIES

Before addressing each individual provision in the CPOP section of the Agreement, the following section highlights some of the problem-solving activities that occurred during this reporting period.

I. CITY OF CINCINNATI ACTIVITIES

PATROL BUREAU

Downtown Central Business District

Concerns identified by downtown stakeholders include homeless encampments and other problems including trespassing, aggressive panhandling, and overall blight in and around expressway underpasses. These concerns have an effect on public safety and law enforcement.

Current Activities:

- District One officers assisted outreach workers in providing services to the homeless including housing, mental health services, and job skills training.
- On-site clean-up was conducted by inmates from the Queen City Correctional Facility and the City of Cincinnati Public Services Department.
- District One officers posted “No Trespassing” signs under the bridge encampments.
- District One officers continue to assess the situation, but at the time of this report the encampments are free from debris and homeless persons.

Over the Rhine (OTR)

Concerns identified by the OTR CPOP Team are drug activity at several locations. During this reporting period, the OTR Team addressed drug activity in and around the intersection of 12th and Republic Streets.

Current Activities:

- District One officers and residents organized three street fairs, including establishing an outdoor cafe at the problem location to disrupt drug trafficking.
- District One officers, with stakeholders including residents, merchants and non-profit agencies, conducted a sweep to remove all unattended chairs and milk crates on the streets in the area. These items are commonly recognized to drug buyers that drugs are sold at those locations. (For further detail on this CPOP project, see the Partnering Center’s report regarding 12th and Republic Streets.)
- District One officers worked with Public Services to improve lighting at several locations.

Walnut Hills

CPD, in conjunction with community stakeholders, identified the concern of increased drug activity in the area of East McMillan and Victory Parkway.

Current Activities:

- The Street Corner Unit and the Vice Unit are conducting surveillance, intelligence gathering for the SARA process, and sting operations for drugs.
- The Citizens on Patrol Team have been an active presence in deterring drug activity.
- The Neighborhood Officer is working with other city agencies such as the Building Department, Health Department, and Fire Department to enforce building code violations at a nearby apartment building experiencing high drug activity.

Roselawn

Concerns in this area are abandoned homes and drug activity at several locations.

Current Activities:

- The Neighborhood Officer and Violent Crimes Squad are working with citizens to collect intelligence information on drug dealers.
- District Four officers are working with the Building Department to cite owners of abandoned homes.

Mount Auburn

Concerns in this area are littering violations at several neighborhood parks.

Current Activities:

- The Citizens on Patrol Team, along with the Neighborhood Officer, have developed a clean-up initiative for the neighborhood parks. Public Services will be part of this plan.

North Avondale

CPD, in conjunction with community stakeholders, identified the following concerns in this area: drug activity, prostitution, and teenagers involved in street robberies, vehicle thefts, thefts from vehicles, and disorderly conduct (fighting).

Current Activities:

- District Four officers are working with the North Avondale Community Council to hold block parties in the hope that problem juveniles will be identified through dialogue and be provided positive alternatives.
- The Neighborhood Officer has applied for a grant to clean-up an apartment building infested with drug activity.
- The Neighborhood Officer worked with a Code Enforcement Response Team (CERT) to close a boarding house identified as being associated with drug activity and prostitution.

Hartwell

A concern in this area is the increase in drug activity on a particular street.

Current Activities:

- The Neighborhood Officer is working with the Violent Crimes Squad doing surveillance, intelligence gathering for the SARA process, and drug buys to identify dealers.
- The Neighborhood Officer is working with the owner of a problem apartment building to evict known dealers.

Paddock Hills

Concerns in this area are disorderly conduct, loud music, and zoning violations occurring at a transitional home.

Current Activities:

- The owner of the home is working with the Neighborhood Officer in possibly converting the home into a youth center.

Bond Hill

Concerns of drug activity at two different homes in the area.

Current Activities:

- The Neighborhood Officer worked with Cinergy to improve the lighting in the problem areas.
- The Bond Hill Community Council trimmed hedges and trees to improve visibility in the problem areas.
- The Neighborhood Officer is conferring with the Prosecutor's Office regarding possible charges on the homeowners who allow this activity to continue.

CUF (Clifton Heights/University Heights/Fairview Heights)

Concerns in this area are loud, disorderly parties and underage possession and consumption of alcoholic beverages occurring in the residential neighborhoods adjacent to the campus of the University of Cincinnati.

Current Activities:

- District Five officers assisted in forming a student disturbance committee comprised of representatives from the CPD, University of Cincinnati, property investors/owners, community council, and student government. The objective was

to develop a plan to prevent large scale disturbances similar to ones that have occurred in the past.

- District Five officers issue Forms 650 and 651 (First and Second Responder Notices) when responding to large, disorderly parties and assist with shutting down parties that are, or have, the propensity to get out of control.
- The Public Services Department conducted a neighborhood cleanup prior to a large, planned party.
- District Five officers began aggressive enforcement for alcohol and drug violations.
- The University of Cincinnati, with the support of the aforementioned committee, amended its student code to include prohibitions against riotous behavior of its students off campus.
- The “Cinco de Stratford” annual event, which in the past yielded moderate to large disturbances, presented no problems this year.

CPD INVESTIGATIVE BUREAU

Community Response Teams

CPD continues to address community issues through regular deployments of the Community Response Team (CRT). Through enforcement efforts, the CRTs attempt to reduce criminal activity, victimization, and community concerns of crime in the affected areas. Between May and July of this year, three CRTs have been deployed, with the most recent one being July 29 and July 30, 2004. Prior to the CRT deployment, a meeting is held with the various community stakeholders from the selected areas to gather input, verify information, and to solidify deployment plans. Using the information gathered through this process, the CRTs have generated the following activity for the period May, 2004, through July, 2004:

Arrests

Adult Felony Arrests	184
Adult Misdemeanor Arrests	398
Juvenile Felony Arrests	14
Juvenile Misdemeanor Arrests	32

Seizures

Cocaine	438.15 Grams
Marijuana	3035.59 Grams
Heroin	23.33 Grams
Pharmaceutical Drugs	94.5 Doses
Firearms	9
Currency	\$9,324

CPD TRAINING SECTION

The Training Section interacts with the community through several different programs and committees. The following is an example of the police/community interaction sponsored by the Training Section:

Citizens Police Academy

The Training Section has completed its third Civilian Police Academy June 4 – August 4, 2004. Twelve people graduated from the academy. The first academy was conducted in coordination with the Mental Health Association and was attended by approximately 25 mental health professionals. The second academy was directed at church organization and members of the clergy. Approximately 25 members graduated from this academy. The third academy class was not geared to a specific group of individuals. The fourth academy class is due to begin on September 15, 2004, and again is geared towards mental health professionals.

Recruiting/Selection Committee

This is a group of community volunteers, established as part of the CAN effort, that meet on a monthly basis to provide citizen input and assistance with recruiting materials, contact with media outlets, and advertising agencies.

Citizen Police Advisory Committee (CPAC)

CPD engages this group to seek civilian input on training and recruitment. The committee assists in both recruit selection, serving as oral board members, and cadet selection.

COMMUNITY ORIENTED POLICING INITIATIVES

Consistent with CPD's mission to "...work in partnership with the community to provide a safe environment..." the following are examples of projects undertaken with partners of the communities to achieve this mission. Although these projects do not meet the strict definition of CPOP, CPD would like to make the Monitor and public aware of activities which involve community participation and problem-solving.

Lunken Airport Security

During this quarter, the newest team of Citizens on Patrol began working in the Lunken Airport Operations area. Working with the Lunken Airport administration, the FAA, and the Department of Homeland Security, these patrols are part of the Cincinnati Police Department's commitment to the homeland security effort. One of the most effective measures implemented by the Transportation Security Agency to enhance airport security has been increasing the presence of law enforcement officers on patrol and in airport facilities. The Citizens on Patrol at Lunken Airport will assist in this security effort without taking officers off the street.

Outside Training by CPD

Cincinnati Police Officer Barbara Winstead traveled to Skopje, Macedonia, July 11-29 to instruct law enforcement personnel in that city in community oriented policing and in tactics of bicycle patrol. Her trip is part of the International Criminal Investigative Training Assistance Program (ICITAP), a joint effort of the U.S. Department of Justice and the Macedonian government. She was selected because she is certified by the International Police Mountain Bike Association as an instructor, and she has been a neighborhood officer with District Three since January 2000. "The Justice Department's ICITAP team in Washington checked out CPD's web site. They were impressed with our commitment to the community problem oriented philosophy of policing," Officer Winstead said. She has developed a curriculum on community oriented policing that includes the problem-solving model, crime prevention programs and techniques, and operations and tactics for bicycle patrol.

ICITAP was created by the Justice Department in 1986 in response to a State Department request for assistance in training police in Latin America, and it has since expanded to assistance projects in developing police forces for international peacekeeping operations and to enhance police capabilities in emerging democracies. In Macedonia, the program aims to develop a foundation for community-based policing to increase citizens' trust and confidence in their law enforcement agencies.

Citizens on Patrol Program

The Cincinnati "Citizens on Patrol Program" (COPP) was proposed by several Cincinnati City Council members in 1997. The program was modeled after one in Fort Worth,

Texas. City Council approved the initial use of \$35,000.00 in Federal Local Law Enforcement Block Grant money for the implementation of the pilot program.

The responsibility for developing the program was assigned to the COP Coordinator. The responsibility for administering and coordinating the neighborhood-based program was assigned to the District Commanders.

While using personal vehicles to transport volunteers to and from patrol, a magnetic sign is affixed to the volunteer's personal vehicle clearly identifying him/her and passengers as members of the Cincinnati Citizens on Patrol Program. Walking and fixed patrols however, are the only type of patrols that are permitted by the Citizens on Patrol program.

Three target neighborhoods in Cincinnati were chosen for the pilot project: Bond Hill (still operating), Madisonville (still operating), and South Fairmount (disbanded). Council members and police officers attended community meetings in each of the three neighborhoods to explain the project and solicit volunteers. Application forms were developed and sent to the volunteers, along with a letter of explanation by the COP Coordinator.

The Police Training Section initially developed a 12-hour training curriculum for the COPP volunteers. The training was given over a three-day period. Training has since been modified to an 8-hour training course, completed in a one or two day training seminar.

All training still continues to be presented at the Police Training Section. A minimum number of 20 students are required in order for a COPP training session to be cost effective.

In the winter of 2002, a sworn officer was appointed to oversee and nurture COPP, which at that time had seven active units patrolling (Madisonville, Mt. Washington, Northside, Price Hill, College Hill, Westwood and Camp Washington). By the summer of 2002, the program had tripled in size and was active in 21 city neighborhoods.

At the same time, a Civilian Coordinators Committee was formed. The committee was designed to allow members from throughout the city to network and work as a cohesive team in solving the many issues surrounding the program. COPP members patrol their neighborhoods on foot, bike, and sometimes in marked vehicles.

In 2003, COPP fielded:

- 1414 individual patrols
- 20257 volunteer hours
- 20 different neighborhoods

In the first half of 2004, COPP fielded:

- 1103 individual patrols
- 18336 volunteer hours
- 24 different neighborhoods

Current COPP Neighborhoods are:

- Mt. Washington
- Madisonville
- Kennedy Heights
- Pleasant Ridge
- Hartwell
- Carthage
- Walnut Hills
- Downtown
- West End
- Sayler Park
- West Price Hill
- East Price Hill
- Lunken Airport
- Parks
- Westwood
- College Hill
- Northside
- Camp Washington
- CUF
- East Westwood
- Clifton Heights
- Bond Hill
- Pendleton
- Mt. Auburn

Neighborhoods Forming (anticipated patrols by October, 2004):

- Lower Price Hill
- Sedamsville
- Evanston

Neighborhoods' COPP formed, but did not take off:

- Mt. Adams
- Avondale

Neighborhoods showing limited interest (less than five people trained):

- Oakley
- East Walnut Hills
- South Fairmont
- Mt. Airy
- OTR

Besides the obvious impact on the quality of life, COPP has 613 active volunteers and has trained over 800 citizens since its inception in 1997.

The Cincinnati Police Department also employs volunteers in the following capacities:

- Volunteer Surveillance Team
- Desk Officer Assistant
- Support Drivers

Alarm Reduction Unit

Last year 30,000 false alarms cost taxpayers more than \$500,000 and diverted resources from other public safety response activity. The False Alarm Reduction Unit was formed to address this issue.

When an alarm user has a third false alarm within a twelve-month period, they can attend an alarm user's course in lieu of paying a fine. Two courses were given in June and July with a total of 58 alarm users. The course is geared towards making users more responsible so that false alarms are reduced. This in turn frees-up finite police resources, resulting in increased time for problem solving. In comparison to the previous year, false alarms were reduced by 23.72% in June and 30.62% in July. CPD estimates a savings of over 415 man-hours in June and 568 man-hours in July (assuming two officers dispatched and an average of 20 minutes per call).

CPD Youth Services' Initiatives

The Youth Services Section was involved in the following activities during this quarter. The objective of these initiatives was to improve relations between police and area youth:

Hopkins Day Camp

Twelve Youth Services officers and sixty-seven inner-city youths participated in this five day camp. The objective was to draw new members into the Boy Scouts. Activities included sports and scouting skills. The Cincinnati Police Activities League (PAL) provided fishing equipment for use at the camp. They also provided hydration packs and fishing poles as gifts for each camper.

Prince Hall Pythagorans

Similar to a youth Masons group. Youth Services officers coordinate approximately 20 youths in this program.

Strike Force

Youth Services officers teach approximately 25 youths martial arts.

Boy Scouts

A Youth Services officer organized a Boy Scout troop of approximately 25 inner-city youths.

Summer Basketball and Golfing Leagues

CPD officers organized youth leagues involving approximately 50 inner-city youths.

Police Activities League (PAL)

CPD officers instruct approximately 100 area youths in scuba diving, scouting, and other activities.

II. COMMUNITY POLICE PARTNERING CENTER

During this recent quarter, the Community Police Partnering Center worked to complete the first round of SARA trainings in partnership with the Cincinnati Police Department. Also during this quarter, Center staff finalized outreach materials and in-house tracking forms to help “operationalize” the work of the Center, and ensure accountability of the Center’s work of engaging people through outreach efforts, training, and supporting community stakeholders in applying the SARA process.

Several neighborhoods received SARA training during the months of June and July, and in August, CPPC staff participated in several events designed in part to highlight the work of CPOP and the Center.

SARA trainings were presented by CPPC and CPD staff in the following neighborhoods during this quarter:

June 3, 2004 Hartwell / Carthage (District 4) - 12 participants
June 4, 2004 St. Anthony Village Residents (Over-the-Rhine – Dist. 1) - 10 participants
June 8, 2004 Northside (District 5) - 15 participants
June 13, 2004 Columbia Tusculum, East End, California, Linwood (Combined – Dist. 2) - 14 participants
June 15, 2004 Evanston (District 2) - 55 participants
June 24, 2004 Pleasant Ridge (District 2) - 8 participants
June 28, 2004 Saylor Park (District 3) - 10 participants
July 26, 2004 District 3 combined neighborhood training – 8 participants
July 13, 2004 City Department CPOP Training (held at the Police Academy) – 11 participants
July 14, 2004 East Walnut Hills (District 2) – 11 participants
July 21, 2004 Mount Auburn (District 4) – 26 participants
July 28, 2004 Winton Hills (District 5) – 6 participants

With the completion of trainings in the communities mentioned above, the Partnering Center has completed the first round of joint SARA trainings from the training schedule that was presented and agreed upon by CPD and CPPC staff in April, 2004. With the above trained communities, a total of 186 new stakeholders have been trained in SARA problem-solving during this quarter through the joint efforts of the CPPC and CPD.

The following list gives an overview of the CPOP efforts to date as of the end of August, 2004:

- New Neighborhoods Trained in SARA Problem Solving: 27
- Total number of Developing CPOP Teams: 7
- Total Number of Active CPOP Teams: 15
(“Active” is defined as a team that has:

a) identified a problem as defined by the joint CPOP curriculum, and
b) is currently working the SARA process according to the Community Problem Solving Worksheet, with joint facilitation from CPD and CPPC.

- District 1:

- West End active team
- Pendleton active team
- Over the Rhine 1 active team & 1 developing team

- District 2:

- Oakley
- Hyde Park
- East End
- Kennedy Heights active team
- Columbia Tusculum
- Mt. Lookout
- Linwood
- California active team
- Evanston active team
- East Walnut Hills developing team
- Pleasant Ridge developing team
- Madisonville 1 active team & 1 developing team

- District 3:

- East and West Price Hill
- Sedamsville active team
- Sayler Park
- South Cumminsville
- Lower Price Hill active team
- North and South Fairmount

- District 4:

- Roselawn developing team
- Bond Hill developing team
- Mt. Auburn active team
- Paddock Hills
- Hartwell
- Carthage
- North Avondale active team
- Avondale active team
- Walnut Hills active team

- District 5:

- Mt. Airy

- Winton Place
- Northside active team
- College Hill active team
- Winton Hills developing team

The CPOP HIGHLIGHTS listed below offer only a brief overview of some promising CPOP efforts to date. Center staff members remain active in several neighborhoods assisting developing teams to identify problems amenable to SARA problem-solving, and supporting existing teams in applying the SARA model.

OVER THE RHINE:

The Over the Rhine CPOP has worked during this quarter to reclaim the corner of 12th and Republic. The team installed a banner above the intersection that proclaimed “Do Not Buy or Sell Drugs Here.” For their first response, the Team set up an outdoor café where citizens, police, and city officials enjoyed coffee and donuts at that corner instead of a view of an open air drug market. The CPOP Team organized a follow-up series of community events at this location, such as voter registration and a cookout.

MADISONVILLE:

The Madisonville CPOP Team identified the problem of youth loitering in the parking lot of a shopping plaza on Madison Road, between Ravenna and Whetsel. The Team did a survey of residents and businesses in the area to gauge perception of safety and security. The Team also contacted all the stores in this plaza to ask they monitor littering and loitering ordinances around their business, and keep their part of the lot clean. Members of the team have worked with the owner of the property to repair some lighting around the plaza, because the darkness was providing a “cover” for undesirable behavior. The team is also working with the Cincinnati Human Relations Commission Youth Street Workers to plan a Youth / Police basketball event that will be held at the Madisonville Recreation Center.

Additionally, Center staff is currently supporting a new group of stakeholders, all residents on the same Madisonville Street, who formed a CPOP team to address the problem of speeding on Watterson Avenue, from Bramble to the Village of Fairfax. The residents have first-hand knowledge of the problem since they live there, and are concerned for the safety of neighborhood children since a new bike path was installed at the beginning of this summer. The team worked with both Cincinnati Police and Village of Fairfax police to gather data about accidents and citations, and is currently working on a response that will involve community-driven initiatives to slow people down on this residential street.

EAST WALNUT HILLS:

Since their July 14th SARA training, the group has met to brainstorm and prioritize several neighborhood problems. They have completed a Community Problem-Solving Worksheet to focus on repeated incidents of theft, property crimes, and vandalism on Ashland & Upland, parts of Madison Road, and parts of Fairfield (near the Hackberry/Dexter quadrant). The team is beginning their analysis on this problem and Center staff is supporting them in this effort.

AVONDALE:

The work of the team culminated in a very successful event that “took back” a corner previously overrun with drug activity. An abandoned gas station at the corner of Rockdale and Burnet served as a drive-thru for drugs. The CPOP Team cleaned up the area in the spring of this year, the land was donated to the community, and the Team began the work of converting the lot into a neighborhood market. The first “Jay Street Market” was held on August 28th and included food, games for the kids, vendors and entertainment. This CPOP project was supported by LISC-CSI, the Avondale Business Association, the Avondale Community Council, and the Injury Free Coalition. The event resulted in positive publicity for the Team in the Cincinnati Enquirer and on WCPO – Channel 9.

NORTH AVONDALE:

Center staff assisted a group of combined stakeholders in North Avondale and St. Bernard to apply for funding through the city’s Safe & Clean Neighborhood Grant. The team identified a problem of disorderly youth, loitering and some drug-related activity at and around the corner of Mitchell and Vine. The team asked for funding that, if granted, will change the physical location that is contributing to the problem behavior by installing large planters, landscaping, and fencing to block off an area that is being used for a cut-through. The planters will be maintained by the North Avondale Neighborhood Association, thus establishing some “guardianship” around this area.

COLLEGE HILL:

The College Hill CPOP Team began to look at the issue of disorderly youth around Aiken High School. Security Guards at Aiken said that they have little authority over the students. The Team invited the principal and other faculty members from Aiken to attend an August CPOP meeting to discuss how the community can play a role in addressing security concerns around the school. Harry Frisby from Cincinnati Public Schools met with the Team to assist in developing a program so the community could contact school principals about community safety issues.

LOWER PRICE HILL:

This CPOP Team has been very visible during this quarter, which is illustrated by the Friday Night Walks that the team has participated in with Neighborhood Officer Steve Ventre. On July 16, 2004, 41 people participated in a walk and 36 of these people were residents. The team handed out information about how to get help with drug addiction. The team has submitted Community Problem Solving Worksheets for two problems, one of which is illegal activity, including drug sales and prostitution, at the corner of Storrs and Neave Streets. The Center staff member working in Lower Price Hill passed out

brochures written in Spanish to the Hispanic Working Group that explains what to do if pulled over by the Police. A representative of the Talbert House also passed out small instruction sheets about the Latino Beeper Project.

Also during this quarter, the Partnering Center participated in the following education and outreach activities to highlight the work of CPOP and the Center, and to recruit new participants for neighborhood problem-solving teams:

- On June 22, 2004, Partnering Center Executive Richard Biehl gave a presentation to City Council's Law & Public Safety Committee to highlight the role and work of the Partnering Center, and the successes and challenges of CPOP to date.
- Center staff did significant work during this quarter to organize, execute and participate in an event with the Office of the National Drug Control Policy (ONDCP). The event was held at Cintas Center on the campus of Xavier University and was a follow-up to a "25 Cities Initiative" meeting held on May 3, 2004. The goal of 25 Cities Initiative is to coordinate law enforcement with prevention and treatment activities to reduce drug use and violence related to drug use in at least two Cincinnati neighborhoods. Partnering Center staff worked with CPD's Crime Analysis Unit to put crime mapping data into a Power Point presentation to highlight trends related to violent crimes, homicides, and drug calls for service. Partnering Center staff present at this event helped facilitate the various break out groups that eventually chose the two Cincinnati neighborhoods in which this program will be piloted.
- August 29, 2004 – Crime Stoppers Community Outreach Festival at Fountain Square – Center staff had a booth on the Square where they distributed information about SARA, CPOP, "Back to School" safety checklists for parents and students and other CPOP-related materials. Center staff members worked the crowd to sign people up for neighborhood CPOP teams or to schedule SARA training.
- Center staff members had a booth at all of the Cincinnati Human Relations Commission's "Community Outreach Festivals", organized to "build relationships which promote a safe and just community for all." Festivals were held on June 20th in District 3 at the Millvale Recreation Center, July 18th in District 1 at the Lincoln Recreation Center in the West End, and August 1st at the Madisonville Recreation Center. Each festival provided the Center with an opportunity to sign up new people for CPOP – either for an existing team or an upcoming SARA training. At the Madisonville festival, Center staff members went on the "Buzz" (WBDZ – AM) to talk about CPOP.
- Center staff, including executive director Richard Biehl, presented information about the Center and CPOP at the 3rd Annual "Coalition Academy 2004", presented by the Coalition for a Drug Free Cincinnati. The presentation by Mr. Biehl was titled "Neighborhood Strategies to Address Drug Use Problems" and was designed to teach participants about the SARA problem-solving process as a means to identify effective strategies to reduce drug use, sales, and associated problems. The Center's presentation included highlights and photos of several

- recent CPOP “highlights” including efforts by the OTR CPOP Team to reduce drug activity at 12th & Republic Streets.
- On August 3rd, Center staff participated in several National Night Out Activities in various districts, involving CPOP team members in staffing a booth at Ault Park, and helping to organize a neighborhood-based Night Out event in Avondale.
 - Partnering Center staff worked to organize and execute an “Empowerment Forum” designed for African-American males, ages 16-24. The event was held on August 18 at the Urban League at 3458 Reading Road. Other partners for this event included the Cincinnati Human Relations Commission, the Cincinnati Police Department, and the Citizens Complaint Authority. The event provided participants with information about what to do when stopped by police, self-empowerment skills, and information about job readiness, life skills and other support programs aimed at this group. Center staff helped facilitate break-out groups that shared information about how these young men could become involved in the work of problem-solving.
 - Over the weekend of August 22 & 23, 2004, Partnering Center Outreach Workers and the Executive Director staffed a booth at the Black Family Reunion event at Sawyer Point. CPPC staff distributed information about SARA, CPOP, “Back to School” safety checklists for parents and students, and other CPOP-related materials. During the two days of the event, Center staff signed up over 100 people from various Cincinnati neighborhoods to engage them in the work of CPOP in their community.

Additionally, the Center added a new email address – CPOPCenter@gcul.org – which appears on all current Partnering Center outreach materials and is being shared throughout the various neighborhoods. Plans for a Partnering Center quarterly newsletter and website also got underway during this quarter.

III. PARAGRAPH 29 PROGRESS UPDATE

Items 29a, The City, in consultation with the other Parties, shall develop and implement a plan to coordinate City departments with the CPOP focus of the CPD.

Monitor's Previous Assessment

The Monitor stated the City remains in partial compliance of this section of the CA. As departments and agencies are now online, the Monitor expects the Parties to report on the quality, timeliness, and results of inter-agency collaboration vis-à-vis the projects undertaken by the pilot CPOP teams.

Status Update

During this quarter, Cincinnati City Manager Ms. Valerie Lemmie has appointed Ms. Antoinette A. Selvey-Maddox to coordinate the involvement and participation of other City departments. She will coordinate, accumulate information, and report back on problem-solving projects in future reports. These efforts will be consistent with and expand upon the City's CPOP Action Plan.

Regarding problem-solving, some of the examples raised by the Monitor need the assistance of a number of county agencies. CPD neighborhood officers and the Community Partnering Center will continue to take the lead in bringing these agencies into the problem-solving process when possible.

Item 29b, The Parties shall develop and implement a system for regularly researching and making available to the public a comprehensive library of best practices in community problem-oriented policing.

As discussed at the July All-Parties meeting, CPD, in conjunction with the Partnering Center, has established a Best Practices Committee to research, identify sources, and disseminate best practices to be posted and linked to the CPOP website. Work in this area has begun.

Items 29c, The City, in consultation with the Parties shall develop a process to document and disseminate problem-solving learning experiences throughout the Police Department and the public.

See response for Paragraph 29b.

Item 29d, The Parties shall research best practices and unsuccessful methods of problem-solving used by other professionals (e.g. conflict resolution, organizational development, epidemiology, military, civil engineering and business).

Monitor's Previous Assessment

The Monitor stated the problem-solving cases submitted last quarter did not reflect the use of evaluated best practice research. For improvements in crime control strategies to be realized, the Monitor believes that the neighborhood officers, along with others in the CPD, need training on researching best practices on common crime problems.

The Monitor also would like to see additional evaluated efforts added to the CPOP website to facilitate their use in officer/outreach worker/community problem-solving. The Monitor reiterated its recommendation that the CPOP Committee develop a research and best practices plan with the assistance of appropriate experts in the field.

Status Update

See response for Paragraph 29b.

Item 29e, The Parties, consistent with the Community Partnering Program, shall conduct CPOP training for community groups, jointly promote CPOP and implement CPOP training.

Monitor's Assessment

The Monitor stated the Parties are in compliance with this section of the CA. The delivery of joint CPOP training and promotion of CPOP as a vehicle to address community crime/safety concerns is a significant milestone for the Parties.

Status Update

See Partnering Center's segment on CPOP training and implementation.

Item 29f, The Parties shall coordinate efforts through the Community Partnership Program to establish an ongoing community dialogue and interaction including youth, property owners, businesses, tenants, community and faith-based organizations, motorists, low-income residents and other City residents on the purposes and practices of CPOP.

Monitor's Assessment

The Monitor stated the Parties are in partial compliance with this section of the CA. The Monitor has noticed several good examples of structured interaction with segments of Cincinnati's population. In the future, the Monitor expects to see a coordinated plan outlining additional community interaction, such as joint forums in the community addressing issues of fair and equitable policing, police use of force, alternatives.

Status Update

CPD, the Cincinnati Human Relations Commission (CHRC), and the Partnering Center collaborated on the following events:

- May 20, 2004 – CPD and the CHRC Cincinnati Youth Streetworker program held a 2004 Youth Solutions Forum at Xavier University. Five different workshops were held with major emphasis on youth/police interactions.
- May 22, 2004 – CHRC Community-Police Outreach Festival held in Avondale community – 1000+ in attendance. CHRC and CPD have held Outreach Festival in numerous neighborhoods over the past 5 years. The purpose of the Outreach Festivals is to allow community residents and district police officers an opportunity to interact in a relaxed environment with the goal to improve police/community relations, particularly with neighborhood youth.
- May 26, 2004 – CHRC met with members of the Winton Terrace community to discuss community-building strategies, including the formation of a CPOP team.
- June 20, 2004 – CHRC Community/Police Outreach Festival in Millvale with 500-600 in attendance.
- June 22, 2004 – In conjunction with the Partnering Center and the Urban League, CHRC and CPD participated in a video teleconference on police use of force. The event was sponsored by the National Urban League in partnership with the U. S. Department of Justice COPS Office. After viewing the video teleconference, attendees (including the Chief of Police and community activists) openly discussed the subject matter.
- July 12, 2004 – CHRC/Partnering Center sponsored SOS (Save our Streets) Campaign Kick Off.
- July 18, 2004 – CHRC Community/Police Outreach Festival in West End with 500 in attendance.
- July 29, 2004 – CHRC/Partnering Center attended the National Drug Control Policy Conference. Topic: How to Better Use Resources in Attacking Drugs in Our Schools and Neighborhoods.
- August 1, 2004 – CHRC Community/Police Outreach Festival in Madisonville with 700-800 in attendance.

- August 11, 2004 – CHRC and District Three police attended a Sedamsville community meeting to discuss CPOP methodology and the SARA model.
- Council member David Pepper held Safety Summits throughout the year in the following neighborhoods: West End, Avondale, Walnut Hills, Over-the-Rhine, and Northside. CPD participants, including Lt. Richard Janke, the local District Commander, and Neighborhood Officers presented the Safe and Clean Neighborhood Fund application process. As previously reported, the application process requires the formation of a CPOP Team and utilization of the SARA problem-solving model.
- Also during August, the Partnering Center sponsored a Youth Forum to follow-up the Urban League/COPS teleconference event. Further details of the Youth Forum are described in the Partnering Center's section of this report.

Item 29g, The Parties shall establish an annual CPOP award program.

Monitor's Assessment

With joint CPOP training just beginning, the Monitor recognizes that it may be early for an awards ceremony. Currently, the Parties are not in compliance with this section of the CA.

Status Update

At the CPOP meeting in July, Mr. Richard Biehl of the Partnering Center was appointed as chairperson of the awards committee. The Parties continue to evaluate the success and collective efforts of those involved in the problem-solving process. The committee will determine award criteria and organize the event.

Item 29h, The City, in consultation with the Parties, shall develop and implement a system for consistently informing the public about police policies and procedures. In addition, a communications audit shall be conducted and a plan will be developed and implemented to improve internal and external communications.

Monitor's Assessment

This section has two parts: (1) informing the public about CPD policies and procedures, and (2) acting on an improved plan of improving external communications. With respect to the first, the City is in compliance, as policies and procedures are available to the public on the CPD's new website.

With respect to the second part, the Monitor determined the Parties are not in compliance since there appears to be no progress on a communications plan.

The Monitor had an added concern that many CPD officers are unfamiliar with the contents of the Collaborative Agreement and progress in implementing sections of the Agreement. The Monitor suggests the Police Chief provide a memo to personnel regarding the direction of the Department and required changes under the Agreement.

The Monitor also stated the Monitor's Reports should be maintained alongside the Collaborative Agreement and the Memorandum of Agreement on the website's homepage.

Status Update

The *Communication Effectiveness Study* is a report of a "communications audit" of the CPD performed by Hollister, Trubow & Associates. The Parties have been provided a copy of this report. CPD is working with the National Conference for Community Justice (NCCJ) to develop a program to implement the recommendations of the audit. Work on implementing select portions of the Communications Audit has begun and is on-going. See summary of audit in Appendix Item #2.

It should be noted that the Monitor's Reports are included in CPD's webpage. To avoid unnecessary duplication, they are located under the Department of Justice section.

CPD officers regularly attend numerous neighborhood meetings to discuss problems in the community, as well as answer questions about police policies and procedures. A listing of meetings, times, and locations can be found in Appendix Item #3.

Item 29i, The CPD will create and staff a Community Relations Unit.

Monitor's Assessment

The Monitor was unable to assess compliance with this paragraph at this time due to CPD not reporting on the CRU in its June 2004 Status Report.

Status Update

The CRU Manager, Ms. Vanessa McMillan-Moore, has been detailed to the Records Section due to departmental budget constraints. Ms. Moore is allocating 50% of her time to assisting with the implementation of the CA. Specifically, her work will center on monitoring the RAND contract, which will evaluate the goals of the Agreement. The Records Section is the depository of many of the documents and information necessary in RAND's assessment/evaluation. Ms. Moore remains active in her responsibilities in regards to implementation of select portions of the CA.

Item 29j, The Parties shall describe the current status of problem-solving throughout the CPD via an annual report. Each Party shall provide details on what it has done in relating to its role in CPOP.

Monitor's Assessment

The Monitor notes the Plaintiffs have agreed to take the lead in developing the annual report.

Status Update

As of this report and as reported at the August All-Parties meeting, the Parties are in the process of drafting the report.

Item 29k, CPD Commanders shall prepare quarterly reports that detail problem-solving activities within the Districts. Reports shall identify specific problems and steps taken by the City and community toward their resolution. Reports shall identify obstacles faced and recommendations for the future. Reports should be available to the public through the Community Relations Unit.

Monitor's Assessment

The Monitor stated CPD is in partial compliance with this section of the CA. The City report contained one clear example of problem-solving. The Monitor argues that CPD's Community Response Team (CRT) sweeps cannot be characterized as problem-solving. The Monitor requested a meeting with the City to discuss the content and format for reporting under this section of the CA

Status Update

During the Monitor's July site visit, members of the Monitoring Team met with CPD, community leaders, and Partnering Center staff to discuss what constitutes problem solving. CPD strongly disagrees with the Monitoring Team in regards to CRT sweeps not being characterized as problem-solving. Through active enforcement efforts, the CRTs attempt to reduce criminal activity, victimization, and community concerns of crime in the affected areas.

As described in earlier reports, prior to a CRT deployment, a meeting is held with the various vested community stakeholders from neighborhood "hot spots" (identified through the analysis of crime statistics) and other selected areas (identified by community leaders and residents) to gather input, verify information, and to solidify deployment plans. After the CRT sweep, the CPD performs a subsequent assessment to ascertain whether the area is still a "hot spot."

In support of CPD's position regarding CRT's being problem-solving, see Appendix Item #4. The attachment is an article in the summer 2004 issue of *The Journal*. The article, titled "The Benefits and Consequences of Police Crackdowns" was authored by Michael

S. Scott. Mr. Scott is the Director of the Center for Problem-Oriented Policing, Inc. and clinical assistant professor at the University of Wisconsin-Madison Law School. Among other things, he developed training programs in problem-oriented policing at the Police Executive Research Forum (PERF) and is a judge for PERF's Herman Goldstein Award.

Mr. Scott's article supports CPD's contention that CRT sweeps are considered problem solving. He writes, "...but carefully planned crackdowns, well supported by prior problem analysis, implemented with other responses to ensure longer-term gains, and conducted in a way that maintains public support and safeguards civil rights, can be an important and effective part of police strategies regarding a range of crime and disorder problems."

In other matters, CPD is working with the Regional Computer Center (a City-County agency) to develop a standardized format for entering CPOP information onto the website.

Item 29l, The Parties shall review existing Police Academy courses and recommend new ones in order to effectively and accurately inform police recruits, officers, and supervisors about the urban environment in which they work.

Monitor's Assessment

The Monitor notes that the Plaintiffs and the FOP agreed to meet with District Commanders and audit CPD training to recommend changes or additions. The Plaintiffs and the FOP have not yet done this. Subsequently, the Monitor concluded the Parties are not in compliance.

Status Update

The City continues to await participation by the FOP and the Plaintiffs in this matter.

Item 29m, The Parties, in conjunction with the Monitor, shall develop and implement a problem-tracking system.

Monitor's Assessment

The Parties are in partial compliance, with the Monitor noting the tracking system requiring some improvements.

Status Update

In the July CPOP meeting, the Partnering Center made a presentation regarding the entry of information and accessibility of the CPOP website. Specifically, the Partnering Center presented a form to facilitate entry into the system. CPD will have a future meeting with the Regional Computer Center to discuss integration of this proposed entry plan.

Item 29n, The City shall periodically review its staffing plan in light of its commitment under CPOP.

Monitor's Assessment

The Monitor requests the current staffing formula, and copies of the material the Human Resources Workgroup will consider in assessing staffing alignment. The City is not in compliance with this section.

Status Update

At the suggestion of the Monitor, CPD made contact with the Omaha, Nebraska Police Department (OPD) because they allegedly utilized a state-of-the-art deployment plan which integrated problem orientation. However, CPD found OPD deployment plan did not integrate a problem orientation and did not apply a "formula" as indicated by the Monitoring Team.

OPD deployment strategy was similar to the method used by many police agencies, with an emphasis on calls for service and estimation of patrol unit availability. CPD's deployment strategy is more developed and comprehensive than OPD. A copy of the plan is in Appendix Item #5. Job descriptions and performance evaluations are currently in draft form and finalization is anticipated by the end of the year.

Item 29o, The City shall review and, where necessary, revise police departmental policies and procedures, organizational plans, job descriptions, and performance evaluation standards, consistent with its commitment to CPOP.

Monitor's Assessment

The Monitor suggested in its last report the importance of City coordination with the FOP and the Plaintiffs in developing recommendations, as their participation can "smooth the way to reform." The Parties are not in compliance with this section.

Status Update

A Human Relations committee has been formed to address these issues. Due to the disagreement between the Parties on the philosophical definition of CPOP, work has been delayed in this area. Once the deliverables for the CPOP portion of the Agreement are

finalized, job descriptions and performance evaluations will again be reviewed and necessary modifications will be made.

Item 29p, The City shall design a system that will permit the retrieval and linkage of certain information including repeat offenders, repeat victims, and/or locations.

Monitor's Assessment

The City is not yet in compliance with this provision.

Status Update

The following is an update for the Computer Aided Dispatch and Records Management System project:

- June 22, 2004 - RFP released
- August 20, 2004 – Proposal due date (five vendors submitted proposals)
- August 23 – December 31, 2004 - Vendor Evaluation/Selection/Contract/Negotiations

Item 29q, The City, in consultation with the Parties, shall study and determine how to secure appropriate information technology for access to timely and useful information needed to detect, analyze and respond to problems and evaluate their effectiveness.

Monitor's Assessment

Deadlines for compliance have not been met.

Status Update

See response for Paragraph 29p.

B. MUTUAL ACCOUNTABILITY EVALUATION

Evaluation Protocol

Items 30-46, Evaluation Protocol

Monitor's Assessment

The Monitor urges the Parties to resolve the evaluation contract with RAND so that work under the Evaluation Protocol can be started. The Parties are not yet in compliance with the Evaluation Protocol provisions.

Status Update

The contract with RAND has been signed by the City and by RAND. Copies of the contract have been distributed to the collaborative partners and the Monitor. A kick-off meeting is tentatively being planned in early September. Discussion will include expectations from the City, Parties, and RAND, data sets, and methods of transmittals.

C. DEPARTMENT OF JUSTICE MEMORANDUM OF AGREEMENT

Collaborative Items 47-49

Terms of the Memorandum of Agreement

Monitor's Assessment

None Noted

Status Update

The City has outlined progress with the provisions of the Memorandum of Agreement in the Quarterly Status Report to the Monitor dated August 12, 2004. Copies of the report have been distributed to the Collaborative Parties in addition to being posted on the CPD website.

Pointing Firearms Complaints

Monitor's Assessment

The investigations of complaints of improper pointing of firearms from March 2000 to November 2002 were forwarded to Conciliator Judge Michael Merz in July 2003. The Parties also submitted supplementary materials to Judge Merz for his review in making his decision under Paragraph 48. On November 14, 2003, Judge Merz issued his decision. Judge Merz determined that there has not been a pattern of improper pointing of firearms by CPD officers. Therefore, CPD officers will not be required to complete a report when they point their weapon at a person. The Parties are in compliance with the provisions of Paragraph 48.

Status Update

The city has nothing to report in this area.

D. “TO ENSURE FAIR, EQUITABLE AND COURTEOUS TREATMENT FOR ALL”

Collaborative Items 50-54

Monitor’s Assessment

A. Traffic-Stop Data Collection

CPD is collecting traffic stop data on its contact cards, but the data is not being analyzed. The Parties are not yet in compliance with this requirement.

Data Collection on Pedestrian Stops.

The Parties are not in compliance with this requirement of the CA.

Use of Force Racial Data.

This data will be reported in the Monitor’s reports once RAND is under contract and able to assess and analyze the data.

Favorable Interactions

The Parties are in compliance with this CA requirement.

Unfavorable Interactions

The Parties are not in compliance with this CA requirement. The Monitor believes that given the minimal amount of disagreement among the Parties and the time that has been taken to resolve the issue, any remaining disputes should be submitted to the Monitor for resolution.

B. Training and Dissemination of Information

The Monitor has not seen evidence that the Parties are cooperating in ongoing bias-free police training. Therefore, they cannot find compliance at this time.

C. Professional Conduct

Based on the information the Monitor has to date, the City is in compliance with this provision. Additional information will be available when the Evaluation Protocol gets underway.

Status Update

A. Traffic Stop Data Collection

As stated in previous reports, CPD has prioritized the entry of data derived from the contact cards submitted in 2003. Once RAND is initiated, the data will be available for the analysis.

Data Collection on Pedestrian Stops

CPD and the Plaintiffs see the possibility of officers completing contact cards on pedestrian stops as problematic - not only from a legal standpoint, but also from a community relations standpoint. Data collection on pedestrian stops, however, can be obtained from the following existing CPD reports:

- FIR Cards
- Form 527 Arrest Reports
- Adult and Juvenile Notice to Appear Citations
- Adult and Juvenile MUTT Citations
- Form 316 Aided Case Reports
- Warning Citations for Pedestrian Violations

CPD and RAND will work together to extract this information.

Favorable Interactions

The Report of Favorable Police conduct has been adopted by the Parties and implementation has been achieved. As reported in the MOA status report by the City, 42 of these reports, along with 121 letters of commendation, were processed by CPD during the second quarter of 2004. The report is available at CPD and public facilities, on the CPD website, and a supply is also maintained in CPD vehicles. To ensure inventory levels remain adequate, CPD has initiated inspection processes for the following areas:

- CPD Facilities
- CPD Neighborhood Substations
- Designated Public Facilities (Libraries, Recreation Centers etc)
- Designated CPD Vehicles

The above inspections are completed on either a monthly or quarterly basis.

Unfavorable Interactions

As stated in CPD's last quarterly report, the Parties are still working to create a final version of this report. The FOP has also agreed to research the costs associated with placing lockboxes in CPD facilities to ensure the security of these reports. There has been no update in this area.

B. Training and Dissemination of Information

As stated in CPD's last quarterly report, the Training Section is exploring the possibility of ongoing Professional Traffic Stop/Bias Free Policing training. Efforts continue to identify a suitable curriculum and vendor.

C. Professional Conduct

The City has nothing to report in this area.

E. CITIZEN COMPLAINT AUTHORITY

Collaborative Items 55-89

Monitor's Assessment

Establishment of CCA and CCA Board

The City is in compliance with the provisions relating to establishing the CCA and CCA board.

Executive Director and Staff

The Parties are now in compliance with these provisions of the CA.

CCA Investigations and Findings

During the previous quarter, the Monitor reviewed the investigative files in a sample of seven CCA investigations. What follows are the general observations made by the Monitor:

- Officers are responding to the CCA offices to be interviewed
- CCA has access to CPD records
- Parallel investigations by the CCA and the CPD do not appear to be impairing the effectiveness of either investigation
- The CCA investigations include an investigator's report, summaries of interviews, descriptions of evidence, and conclusions
- The investigative files are generally well-organized and thorough.
[Tracking Numbers 03-385, 03-524]

CCA has used various checklists and forms to ensure that the investigations are well managed and thorough. These include: Case Checklist; Scheduling Witness Form; Contacting Witness Form; Case Status Report; Other Evidence Form; and Case Contacts list.

There are also areas where we believe improvements are needed:

- Investigators need to make efforts to resolve material inconsistencies in witness statements, follow up on relevant areas of inquiry, and make credibility determinations. [Tracking Numbers 03-494, 03-509]

Based on data provided by the CCA, it appears that the City Manager is taking action on completed CCA cases ("agreeing" or "agreeing in part" with CCA recommendations), as required by the MOA and CA. The Monitor has requested data regarding the actions

then taken by the CPD with respect to discipline to determine whether the City is in compliance with the provision requiring the City to take “appropriate action, including imposing discipline and providing for non-disciplinary action where warranted.” The Monitor has not received this data yet, and so a compliance determination on that requirement cannot be made at this time.

Finally, the CA requires that the CCA issue public, annual reports summarizing its activities in the previous year. The CCA is currently preparing the annual report summarizing its activities for 2003.

Status Update

Training / Investigators

Investigators assigned to the CCA were invited to participate in the IPTM Internal Affairs School, sponsored by the Cincinnati Police Department. This 40-hour block of instruction, attended jointly with members of the Cincinnati Police Department, should enhance the skills of CCA investigators and provide them with the best practices of conducting IA investigations as well as an oversight of relevant court decisions.

Records

CCA has solicited a bid to develop a database with CPD that will interface with CPD’s ETS to obtain limited officer information, as well as provide read only access to IIS case files. Additionally, CCA and CPD have revisited the issue concerning the timely exchange of information and have conceptually agreed to a revised process, which should further enhance the exchange of information between the two agencies.

Information Dissemination

CCA has developed an updated information brochure which will inform citizens how they can access the CCA and how the CCA operates. This revised brochure will also include the CCA citizens’ complaint form. This brochure will be distributed throughout the city at public libraries, police facilities, and other public places.

CCA has responded to a request from the leadership of the NAACP, Cincinnati Chapter to serve as a site for community persons to file complaints with the CCA. Preliminarily, bi-monthly CCA will schedule a CCA investigator who will be available at the NAACP Branch office to receive citizens’ complaints after regular business hours.

CCA continues to assemble the data required to complete and issue the annual report summarizing CCA activities for the previous year.

In regards to the Monitor’s request for data on CPD’s actions resulting from a completed investigation, the City Manager has directed CCA to provide CPD with a complete list of

their sustained cases for 2004. The list will be compared to a list of IIS's completed investigations to determine whether appropriate action was taken when warranted.

F. MISCELLANEOUS

CA Steering Committee Meetings

The Parties continue to meet on a monthly basis to provide updates and discuss issues and concerns related to implementation to the Agreement. Summaries of the June and August meetings are included in Appendix Item #6. There was no meeting in July.

CPOP Forum

The Plaintiffs are planning a CPOP Forum. The purpose of the forum is to educate a targeted group of stakeholders representing all communities in the city. Those invited include community council leaders, representatives from agencies that work with communities, members of City Council, and members of faith communities.

The plan is to present the CPOP efforts of the Partnering Center, the CPD, and the parties to the Collaborative Agreement. This shall be achieved through a facilitated discussion, including knowledgeable participants of active CPOP teams as well as representatives of CPD.

The meeting is scheduled for September 23, 2004 at the Theodore Berry CAA Center located at 880 West Court Street.

APPENDIX

1. CPOP Problem Status Report
2. Communications Audit
3. Community Organization Directory
4. Article from the summer 2004 issue of *The Journal*, titled “The Benefits and Consequences of Police Crackdowns” by Michael S. Scott
5. CPD Staffing and Deployment Plan
6. CA Steering Committee Minutes